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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,071	05/26/2006	Ulrich Begemann	P29681	1477
7055 7590 02/19/2009 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER HALPERN, MARK	
			ART UNIT 1791	PAPER NUMBER
			NOTIFICATION DATE 02/19/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/596,071	<b>Applicant(s)</b> BEGEMANN ET AL.	
	<b>Examiner</b> Mark Halpern	<b>Art Unit</b> 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 1/20/09.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 18-42 is/are pending in the application.
- 4a) Of the above claim(s) 39-42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/10/07</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1) Applicant's election with traverse of invention I, drawn on claims 18-38, in the reply filed on 1/20/2009 is acknowledged. The traversal is on the ground(s) that there is unity of invention and all claims should be considered.

This is not found persuasive because the inventions I-III do not relate to a single general inventive concept under PCT Rule 13.1 because under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The special technical feature (STF) of invention I is directed to a paper making machine including processing sections such as a wire section, pressing section, and drying section as well as a film press, calender, and winding or reeling unit. The foregoing STF is present in Ahonen (US 6,413,371). Therefore, there is no unity of invention when the STF is present in the prior art.

The requirement is still deemed proper and is therefore made FINAL.

Claims 39-42 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim.

2) The application is transferred to Mark Halpern because the elected claims are classified in class 162.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3) Claims 18-23, are rejected under 35 U.S.C. 102(b) as being anticipated by Ahonen (6,413,371).

Claim 18: Ahonen discloses a paper machine that includes a wire section 200, a pressing section 300, a drying section 400, a film press to apply a color coating 500, a calender 700, and a winding reel 800 (Abstract, col. 4, line 44 to col. 5, line 59, and Figure 1).

Claim 19: gap former 250 between twin wires 215 and 216 is disclosed (col. 4, lines 44-65).

Claims 20, 22-23: the apparatus includes a forward dryer section 400 and an impingement dryer 450 and a conventional cylinder dryer 460 which includes dryer groups  $R_1$ - $R_N$ . The forward dryer section 400 reads on predryer (col. 4, line 65 to col. 5, line 8). Impingement dryer 450 reads on a float dryer with hot air.

Claim 21: smoothing with rolls occurs before film pressing.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4) Claims 24-25, 28-38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahonen.

Claims 24-25: Ahonen is silent on the wire fabric quality, however, it would have been obvious to one skilled in the art at the time the invention was made, to utilize felt of fine quality to obtain good product results.

Claims 28-35: Ahonen discloses coating color. In view that the present Specification does not define the binder system, the coating color of Ahonen reads on the claimed binder. Additionally, the use of a binder system would not structurally differentiate the apparatus claims over the cited prior art.

Claim 36: it would have been obvious that the film roll be structured to be of a diameter that would provide for process and product results.

Claims 37-38: Ahonen discloses moistener upstream of calender. It would have been obvious to install the nozzle moistener at a distance to obtain desired process and product results.

5) Claims 26-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahonen in view of Meschenmoser (6,406,596). Ahonen discloses press section tandem shoe presses 350 and 360 are disclosed having extended nips and counter rolls 311, 310 and 321, 320 (col. 5, lines 8-30). Ahonen is silent on including in the press section a third press, an offset press. Meschenmoser discloses the application of an offset press in papermaking. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Ahonen and Meschenmoser

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because such a combination would provide for improved smoothing of the web in the design of Ahonen as disclosed by Meschenmoser.

***Conclusion***

6) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone no. is 571-272-1190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

/Mark Halpern/  
Primary Examiner  
Art Unit 1791